

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

RICKY HOWARD JONES,

Petitioner,

v.

Case No. 20-CV-616

DYLON RADTKE,¹

Respondent.

ORDER TO SUPPLEMENT

Ricky Howard Jones, who is currently incarcerated at the Green Bay Correctional Institution, seeks a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. (Docket # 1.) However, Jones failed to sign his petition under penalty of perjury as required by Rule 2(c)(5) of the Rules Governing Section 2254 Cases. Notably, Jones omitted the signature page of the habeas petition form (along with several other pages). His handwritten letter, although signed, contains no affirmation that his statements are made under penalty of perjury. The court will allow Jones thirty (30) days to supplement his petition with a signed statement declaring under penalty of perjury that the information in his petition is true and correct. The Clerk's Office shall send Jones a copy of the signature page of the habeas petition form, which Jones may sign and return to satisfy this requirement.

¹ Under Rule 2(a) of the Rules Governing Section 2254 Cases, the proper respondent is the state officer who has custody of the petitioner. In this case, Jones is incarcerated at the Green Bay Correctional Institution. The warden of that institution is Dylon Radtke. *See* <https://doc.wi.gov/Pages/OffenderInformation/AdultInstitutions/GreenBayCorrectionalInstitution.aspx> (last visited May 5, 2020). The court has updated the caption to reflect the appropriate respondent and the Clerk's Office will update the docket accordingly. As Jones is representing himself, the court construes his petition to have properly named the respondent.

Jones has also filed a motion for leave to proceed without prepayment of the filing fee (Docket # 5) and has submitted a copy of his prison trust account statement for the six-month period immediately preceding the filing of the petition (Docket # 6). However, the statement does not appear to be certified as required by 28 U.S.C. § 1915(a)(2). Jones shall request a **certified** copy of his prison trust account statement from the institution and provide it to the court within thirty (30) days of the date of this order, or explain why he is unable to do so.

NOW, THEREFORE, IT IS HEREBY ORDERED that Jones shall supplement his petition with a signed statement declaring under penalty of perjury that the information in his petition is true and correct within thirty (30) days of this order.

IT IS FURTHER ORDERED that Jones shall supplement his motion to proceed without prepayment of the filing fee with a **certified** copy of his prison trust account statement within thirty (30) days of this order, or explain why he is unable to do so.

Dated at Milwaukee, Wisconsin this 7th day of May, 2020.

BY THE COURT

s/Nancy Joseph
NANCY JOSEPH
United States Magistrate Judge